

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

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Attorneys for Defendants
Sun Pharmaceutical Industries, Ltd. and
Sun Pharmaceutical Advanced Research Centre, Ltd.

ALTANA PHARMA AG and)
WYETH,)

Plaintiffs,)

v.)

TEVA PHARMACEUTICALS USA, INC.,)
and TEVA PHARMACEUTICALS, LTD.,)

Defendants.)

ALTANA PHARMA AG and)
WYETH,)

Plaintiffs,)

v.)

SUN PHARMACEUTICAL INDUSTRIES,)
LTD. and SUN PHARMACEUTICAL)
ADVANCED RESEARCH CENTRE, LTD.,)

Defendants.)

CIVIL ACTION NO. 04-2355 (JLL)
CIVIL ACTION NO. 05-1966 (JLL)
CIVIL ACTION NO. 05-3920 (JLL)

(Electronically Filed)

**DECLARATION OF
JULIA S. KIM**

JULIA S. KIM, hereby declares and states:

1. I am a member of the Bar of the State of New York and Senior Counsel with the firm of Cohen Pontani Lieberman & Pavane, 551 Fifth Avenue, New York, New York 10176, counsel for defendants Sun Pharmaceutical Industries, Ltd and Sun Pharmaceutical Advanced Research Centre, Ltd ("Sun"). I am admitted *pro hac vice* in this action. I make this Declaration in support of Sun's Motion for Leave to File an Amended and Supplemental Answer, Affirmative Defenses, and Counterclaims.

2. Attached hereto as Exhibit A is a true and correct copy of Sun's Amended and Supplemental Answer, Affirmative Defenses, and Counterclaims (proposed) for the tablet litigation against Sun (05 Civ. 1966) (filed "UNDER SEAL").

3. Attached hereto as Exhibit B is a true and correct copy of a letter dated June 22, 2006 from the U.S. Food and Drug Administration ("FDA") to Sun (filed "UNDER SEAL").

4. Attached hereto as Exhibit C is a true and correct copy of a printout of "Paragraph IV Patent Certifications as of June 22, 2006" as posted on the FDA's website at <http://www.fda.gov/cder/ogd/ppiv.htm>.

5. Attached hereto as Exhibit D is a true and correct copy of a letter dated April 29, 2004 from the FDA to Sun (filed "UNDER SEAL").

6. Attached hereto as Exhibit E is a true and correct copy of Wyeth's "Worldwide Net Revenue by Product Three Months Ended March 31, 2006" (Domestic / International / Total).

7. Attached hereto as Exhibit F is a true and correct copy of Sun's Answer, Affirmative Defenses, and Counterclaims filed May 5, 2005 (05 Civ. 1966).

8. Attached hereto as Exhibit G is a true and correct copy of Sun's Objections and Responses to Plaintiffs' Interrogatories dated August 31, 2005.

9. Attached hereto as Exhibit H is a true and correct copy of the Reply Brief in Further Support of the Motion for Consolidation of Sun Pharmaceutical Industries, Ltd. and Sun Pharmaceutical Advanced Research Centre, Ltd. filed June 20, 2005.

10. Collectively attached hereto as Exhibit I are true and correct copies of letters dated August 19, 2005 and December 22, 2005 from Herbert W. Rea, Esq. (plaintiffs Wyeth and Altana) to Mark D. Schuman, Esq. (defendant Teva) and Charles Guttman, Esq. (defendant Sun).

11. Attached hereto as Exhibit J is a true and correct copy of the docket sheet for the consolidated litigation, *Altana, Wyeth v. Teva*, 04 Civ. 2355 (D.N.J.), including docket entries for *Altana, Wyeth v. Sun*, 05 Civ. 3920 (D.N.J.).

12. Attached hereto as Exhibit K is a true and correct copy of the transcript for the April 12, 2006 Hearing before Magistrate Judge Ronald J. Hedges.

13. Attached hereto as Exhibit L is a true and correct copy of Defendant Sun's Supplemental Response to Plaintiffs' Interrogatory No. 3 dated July 20, 2006 (filed "UNDER SEAL").

14. Attached hereto as Exhibit M is a true and correct copy of a Pretrial Scheduling Order dated January 7, 2005.

15. Attached hereto as Exhibit N is a true and correct copy of an Order Regarding the Motion for Consolidation of Sun Pharmaceutical Industries, Ltd. and Sun Pharmaceutical Advanced Research Centre, Ltd. dated June 20, 2005.

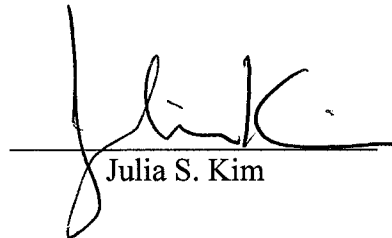
16. Attached hereto as Exhibit O is a true and correct copy of an Order dated September 27, 2005.

17. Attached hereto as Exhibit P is a true and correct copy of an Order dated April 18, 2006.

18. Attached hereto as Exhibit Q is a true and correct copy of Sun's Amended and Supplemental Answer, Affirmative Defenses, and Counterclaims (proposed) for the intravenous litigation against Sun (05 Civ. 3920) (filed "UNDER SEAL").

19. Executed this 25th day of July 2006. I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Date: 07/25/06



Julia S. Kim